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President: Mr. Udovenko . . . . . (Ukraine)

The meeting was called to order at 3.15 p.m.

Agenda item 36

Question of Palestine

Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/52/35)

Report of the Secretary-General (A/52/581)

Letter from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/52/571)

The President: I first give the floor to His Excellency Mr. Ibra Deguène Ka of Senegal, in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr. Ka (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*interpretation from French*): It is a genuine pleasure for me once again to address the General Assembly in my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and it is also an honour for me to open the annual debate on the agenda item entitled "Question of Palestine".

I should like first of all to congratulate you once again, Sir, on your well-deserved election to the presidency of the fifty-second session of the General Assembly and to recall that you were an active member of our own Committee. Your boundless energy, your diplomatic skills and your devotion to the objectives of the United Nations are well known and greatly appreciated by all. I am convinced that you will guide our work in the most productive manner.

Not so long ago, some delegations felt that the mandate of the Committee on the Exercise of the Inalienable Rights of the Palestinian People had been made redundant by the positive evolution of the peace process and that the Committee and other United Nations bodies active on this issue should be phased out, together with the Secretariat units servicing them. I think that those delegations quickly changed their minds in the light of the impasse in the peace process.

While welcoming the achievements in the negotiations since September 1993 with the signing of the Declaration of Principles on Interim Self-Government Arrangements and the subsequent developments, in particular the Interim Agreement of 1995, the Committee cautioned that these were but steps towards the full achievement of the inalienable rights of the Palestinian people. Because the situation on the ground remained fragile and littered with pitfalls, the Committee reminded the international community that the United Nations has a permanent responsibility on the question of Palestine until the question has been resolved in a satisfactory manner in accordance with international legitimacy.

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As the organ established by the General Assembly to deal with the question of Palestine, the Committee has continued to endeavour to play an essential role during the transitional period envisaged by the accords and will do so until the desired solution had been reached. In the context of the international community's efforts to find a solution, we would have been the first to rejoice at positive developments in the peace process, a process that had aroused such high hopes the world over.

But today the Committee is deeply saddened and disconcerted by the increasing difficulties and obstacles that have made the peace process fragile. By resuming its policy of constructing settlements and confiscating land; by increasingly encroaching upon occupied East Jerusalem and denying residency rights to Palestinians born and living there; by carrying out prolonged and punishing blockades of the areas under Palestinian Authority control; by postponing withdrawal from much of the West Bank; by its indifferent acceptance of harassment by armed settlers against innocent, unarmed Arab civilians; by carrying out punitive expeditions and acts of intimidation against Palestinian populations; by forbidding Palestinian families to be reunited: in all these ways, the Israeli Government has created a situation of deepening despair and tension in the occupied Palestinian territory. The behaviour of the occupying Power has thus increasingly undermined the confidence and lowered the expectations brought about in 1993 by the peace process.

The Committee has repeatedly condemned acts of violence by extremists, which have resulted in tragic loss of life among innocent civilians on both sides. Such reprehensible acts are the work of the enemies of peace. They sow fear and mistrust and prevent progress towards the reconciliation that is essential to the achievement of a lasting, peaceful political solution between the parties.

The retaliatory actions taken by the Israeli Government against the entire Palestinian population can never be justified or accepted by the international community as necessary security measures. Indeed, by strangling the economy and impeding normal movement between Gaza and the West Bank, they compound feelings of insecurity and tension and cause regrettable delays in the peace process. They can only fuel further instability, violence and insecurity.

Over the past year, as Chairman of the Committee, I have repeatedly expressed these concerns to the Security Council, as well as to the General Assembly at its resumed fifty-first session and at its tenth emergency special session. I have urged these organs, and the international community as a whole, to intensify their efforts and initiatives to save and reinvigorate the peace process and to ensure respect for the provisions of international law, in particular the Fourth Geneva Convention, in the occupied Palestinian territory, including Jerusalem.

I have also actively participated on behalf of the Committee in the frequent deliberations on Palestine held by intergovernmental bodies, notably the Movement of Non-Aligned Countries, the Organization of the Islamic Conference and the Organization of African Unity. Their resolutions and decisions, as well as those of other intergovernmental and United Nations bodies, testify to their keen interest and deep concern with respect to the disturbing situation in Palestine. They reflect a determination to act collectively to break the dangerous impasse in which the peace process is trapped. The community of peace-loving nations simply wishes through its messages to make the parties understand that only peace can bring security, and that only security can preserve peace.

In carrying out its mandate, the Committee has also done everything possible to make an effective and constructive contribution through the programme of seminars and meetings of non-governmental organizations organized under its auspices. Those meetings have provided a forum for frank and useful discussion and for the adoption of action-oriented strategies with the participation of Governments, intergovernmental and non-governmental organizations, experts, leaders, eminent individuals and Palestinian and Israeli decision makers.

We also attach particular importance to the programme of studies and publications, and other activities of the Secretariat's Division for Palestinian Rights, including the training programme for staff of the Palestinian Authority and the United Nations electronic information system on the question of Palestine.

When he introduces the Committee report, I am sure that the Rapporteur will provide the necessary details about these various activities.

For my part, I would like to take this opportunity to express the Committee's gratitude and appreciation for the generous support of the Governments of Indonesia and of Jordan, which provided venues and facilities for the holding of an Asian seminar and non-governmental organization symposium and for a seminar on assistance to the Palestinian people respectively.

We are also deeply grateful to the Belgian Government for offering facilities for a conference next February to be organized in cooperation with the Organization of the Islamic Conference and the League of Arab States, and to the Chilean Government for having agreed to the holding of the next Latin American and Caribbean seminar and non-governmental organization symposium.

The General Assembly is aware that the Republic of South Africa has requested to become a full member of the Committee and that Namibia will soon do the same. We try to encourage greater participation by all States in the Committee's activities, and other Governments have expressed an interest. We also note with appreciation the increasingly positive votes on many resolutions relating to the question of Palestine, as seen in the overwhelming majorities in favour of the resolutions adopted at the tenth emergency special session of the General Assembly. This growing support sends a clear message and is a source of hope and reassurance, encouraging all the members of the Committee to intensify our efforts even further in the coming year.

I believe that the events of the past year have shown, without the shadow of a doubt, the great dangers of the policies of expansion and exclusion pursued by the present Israeli leadership. These policies run directly counter to the historical trend towards the resolution of conflicts in the world through dialogue and cooperation. Confidence-building measures and negotiation that should be at the basis of the dynamic of the peace process.

By seeking to impose an unjust peace denying the inalienable national rights of the Palestinian people, these policies imperil the achievements of peace and the fragile network of economic, political and social relationships that was beginning to be established in Palestine. A rare historical opportunity is being squandered, with no other viable solution being proposed.

It is time, today more than ever before, to increase initiatives in order to save the peace process and spare the peoples of the region the spectre of war and acts of violence.

We earnestly hope that this debate, like the recent debate at the tenth emergency special session, will show the way towards peace by once again reminding the Israeli leaders of their country's obligations as a State party to the Fourth Geneva Convention and as a Member State of the United Nations. We must also reaffirm the position clearly adopted by the entire international community in favour of the inalienable rights of the Palestinian people and of a peaceful settlement to the Israeli-Palestinian conflict, which remains at the core of the Arab-Israeli conflict.

In order to achieve this just and lasting settlement, rooted in international legitimacy, the two parties must make an enormous effort and understand that only peace, mutual confidence and coexistence, with respect for the rights and dignity of all, can put an end to all the bloodshed, to so much sustained hatred and pointless destruction.

The President: I now call on the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to introduce the Committee's report.

Mr. Saliba (Malta) Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People: It is an honour for me, in my capacity as Rapporteur, having assumed my new functions earlier this year, to present to the General Assembly for the first time the annual report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

During the past year the Committee continued to do its utmost to implement the mandate given to it by the General Assembly. The report covers the new developments concerning the question of Palestine, the peace process and the activities of the Committee since last year's report.

The introduction to the report is contained in chapter I, which indicates briefly the Committee's objectives and concerns in the light of the evolving situation. Chapters II and III are procedural; they summarize the respective mandates of the Committee, the Division for Palestinian Rights and the Department of Public Information (DPI) and give information on the Committee's organization of work.

Chapter IV covers developments in the situation relating to the question of Palestine, as monitored by the Committee in the course of the year. While noting some progress with regard to the peace process early in the year, particularly the signing of the Protocol on Hebron and the release of some Palestinian detainees, the Committee was increasingly concerned at the ongoing deterioration of the situation and the intensification of violence and tension on the ground. The Committee expressed its great concern that the Israeli-Palestinian

negotiations faced serious setbacks due to the position of the Government of Israel on the various aspects of the peace process. In particular, the Committee was alarmed by the position of the Government of Israel on the question of Jerusalem, especially the establishment of a new settlement in Jebel Abu Ghneim, the growing threat to Palestinian residency rights in Jerusalem, the continued expansion of settlements in general, confiscation of Arab land, demolition of Palestinian houses and the prolonged closure of the Palestinian territory.

The main body of the report is in chapter V, which gives an account of the action taken by the Committee in accordance with General Assembly resolutions 51/23 and 51/24. The Committee Chairman participated in international efforts in opposition to the new Israeli settlement at Jebel Abu Ghneim by drawing the attention of the Secretary-General and the President of the Security Council thereto and by actively representing the Committee in all the relevant meetings of the Security Council, the resumed fifty-first session and the tenth emergency special session of the General Assembly.

The Committee also sought to remind the international community of the fact that the occupation still continues, by organizing a special commemorative meeting on the thirtieth anniversary of the war of June 1967. The Chairman also raised the Committee's concerns in the relevant international ministerial meetings and summits at which he represented the Committee. The report also notes similar concerns expressed by various United Nations and intergovernmental bodies in their resolutions and communiques relating to the question of Palestine, the list of which is included in the report.

Chapter V also provides information on the Committee's efforts to make its work more relevant and useful in the light of the new developments on the ground, and to involve additional countries in its work. The Committee continued to endeavour to sharpen the focus of its seminars and non-governmental organization meetings in the various regions, to make them more action-oriented, and to reach out to broader non-governmental organization constituencies. The meetings held during 1997 included the annual meeting of consultations with the representatives of non-governmental organization coordinating committees, held in New York in February; an Asian seminar and non-governmental organization symposium on the question of Palestine, held in Jakarta, Indonesia, in May; the annual seminar on assistance to the Palestinian people, held in Amman, Jordan, also in May; the annual North American Symposium of Non-Governmental Organizations, held in New York in June; and the annual European Symposium of Non-Governmental Organizations and the International Meeting of Non-Governmental Organizations, held in Geneva in August. I would like to take this opportunity to join our Chairman in expressing our profound thanks to the Governments of Indonesia and Jordan for providing the venue and facilitating the holding of these important events.

The chapter also provides information on the activities of the Division for Palestinian Rights in the field of research and publications, including the recent issuance of a study on the status of Jerusalem, as well as on the United Nations Information System on the Question of Palestine (UNISPAL). It also provides information on a training programme on the workings of the United Nations for staff of the Palestinian Authority, initiated in 1996, which is being continued this year. Finally, the chapter describes the observance of the International Day of Solidarity with the Palestinian People, which took place in New York as well as at the United Nations Offices in Geneva, Vienna and other cities.

Chapter VI covers the work of the Department of Public Information in accordance with General Assembly resolution 51/25, including the publications and audio-visual activities of the Department, and other activities carried out by the Department. The seventh and last chapter contains the recommendations of the Committee to the General Assembly. Noting the various anniversaries of the history of dispossession of the Palestinian people commemorated in 1997, the Committee urges the international community to redouble its efforts in support of their inalienable rights, which are the key to a just and lasting peace. The Committee also considers it essential for the international community to intensify its efforts in support of the historic process of reconciliation between the two sides and for the effective implementation of the agreements reached since 1993.

At the same time, the Committee expresses its greatest concern at the growing stalemate in the peace process and the exacerbation of tension and violence on the ground. It calls for an end to the prolonged closure of the occupied territory and other forms of collective punishment, in the interest of restoring mutual confidence and promoting peace.

The Committee expresses special concern regarding actions taken by Israel in occupied East Jerusalem and the intensification of settlement construction, as they

jeopardize prospects for a just peace and for the achievement of the Palestinian right to self-determination. With regard particularly to Israel's decision to build a new settlement at Jebel Abu Ghneim in spite of international opposition, the Committee expresses its full support for the recommendations made by the General Assembly at its tenth emergency special session, and for the convening of a conference of the High Contracting Parties to the Fourth Geneva Convention. The Committee also states that it will remain engaged in the follow-up to these recommendations in order to promote the necessary action.

The Committee also calls for additional efforts by the international community to restore momentum to the Middle East peace process and reaffirms that the United Nations has a permanent responsibility with respect to the question of Palestine until a comprehensive, just and lasting settlement is reached, based on established and accepted principles. The Committee reiterates its view that its own role will continue to be useful and necessary until a satisfactory final settlement is reached and invites the General Assembly once again to recognize the importance of its role and to reconfirm its mandate with overwhelming support.

Finally, the Committee expresses its great appreciation to those States which have supported its work; it stresses the continued importance and usefulness of its programme of seminars and non-governmental organization meetings; and it calls for the greatest possible participation of States, intergovernmental and non-governmental organizations in the meetings organized under its auspices, as such meetings provide useful and unique forums for discussion of all relevant issues and for the development of joint activities by all those concerned.

The Committee also emphasizes the essential contribution of the Division for Palestinian Rights of the Secretariat as a focal point for collection and dissemination of information on all issues related to the question of Palestine and requests it to continue its programme of publications and studies and to develop further the United Nations computer-based information system on the question of Palestine. It also requests the continuation of the training programme for staff of the Palestinian Authority.

Finally, the Committee expresses its intention to continue to strive to achieve maximum effectiveness in the implementation of its mandate and to adjust its work programme in the light of developments, in order to continue to contribute, to the extent possible, to the realization of the common United Nations objective of achieving a just and lasting solution to the question of Palestine.

I trust that this report will be of assistance to the General Assembly in facilitating its deliberations on this important issue.

The President: The next speaker is the Head of the Observer delegation of Palestine, Mr. Farouk Kaddoumi. In accordance with General Assembly resolution 3237 (XXIX) of 22 November 1974 and resolution 43/177 of 15 December 1988, I give him the floor.

Mr. Kaddoumi (Palestine) *(interpretation from Arabic)*: It gives me pleasure to speak today, and to begin my statement by greeting and congratulating you, Sir, on your assumption of the presidency of the General Assembly in these turbulent international circumstances. We trust in your wisdom to ensure the success of this session. We would also like to express our appreciation to your predecessor, Mr. Razali Ismail, who presided over the previous session with success. I should also like to express our appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and to its Chairman, Mr. Ibra Deguène Ka, who continues to work tirelessly on the question of Palestine.

We are returning here to the General Assembly to examine the question of Palestine after the shock that international public opinion underwent as a result of the impasse in the peace process, especially when Mr. Netanyahu became Prime Minister of Israel last year following the success of the Likud coalition in the recent elections. In those elections, the extremist right in Israel was victorious. Everyone knows that the extremist and fundamentalist parties have bolstered their position. They won more parliamentary seats, resulting in an imbalance in the composition of the Israeli Knesset. This is a proof that the current of extremism inside Israeli society is continuing to enjoy a majority, which ensures its overwhelming success.

In the wake of the assassination of former Israeli Prime Minister Yitzhak Rabin, it was expected that the parties and groups that advocate peace would be successful. But the situation has been reversed, with the fall of the Labour party and the triumph of *Likud* and its extremist allies.

Moreover, Israeli extremism has been manifested in the creation of pretexts and facts on the ground which concretely reaffirm the Israeli Government's rejection of

the concluded agreements and its reneging on previous obligations. It has therefore called for re-examination of the agreement concerning redeployment from Hebron which was signed by the previous Labour Government. That redeployment was supposed to have been completed before the Israeli elections in order for redeployment to be resumed from the rural areas, labelled B, and the departure of the Israeli army from over 600 Palestinian villages. But Netanyahu, the Israeli Prime Minister, insisted on discussing the departure from Hebron thus wasting seven months and, in the end, winning 20 per cent of the territory of the city following its partition, keeping for Israel the historical, commercial and industrial parts of the city, even though the town of Hebron is 100 per cent Palestinian.

Regrettably, instead of the United States playing a positive role to prevent a recurrence of the cycle of violence and to reduce the tension, Mr. Christopher, the former United States Secretary of State, sent a letter to Netanyahu, the Israeli Prime Minister, in which he acknowledged the right of freedom to redeploy the Israeli army, to set a date for that redeployment and its geographical extent and to determine the degree to which more powers would be transferred to the Palestinian National Authority. All of that was without negotiations with the Palestinians, thus contravening the provisions of the accord that called for the withdrawal of Israeli forces and their redeployment from 30 per cent of the territory of the Palestinian West Bank immediately following the implementation of the Hebron Protocol.

Despite the agreement reached between the Palestinian and Israeli sides on an accord on the city, the Government of Israel immediately started the construction of settlements in Jebel Abu Ghneim in the occupied area of Jerusalem/Bethlehem while it was supposed to start withdrawing its forces from the rural areas instead of starting to confiscate Palestinian lands and building settlements on them.

With regard to Jerusalem, Israel continues its violations. It confiscates Palestinian homes and other buildings, especially inside the walled Holy City of Jerusalem. Israel has developed a blueprint, in a very short period of time, to confiscate 18 Palestinian homes in order to house 18 Jewish families, thus challenging the international community, the spiritual dimension of all faiths and the principles of coexistence among all these faiths. This is in addition to its refusal to implement the relevant Security Council resolutions, especially resolutions 465 (1980), 476 (1980), 478 (1980) and 1073 (1996).

Since the signing of the Hebron Protocol and up to the present, negotiations and direct and indirect contacts, at times through concerned intermediaries, have been conducted. In addition, the United States, as a sponsor of the peace talks, is undertaking timid efforts to convince the Israeli Government to fulfil its obligations, to no avail.

When Ms. Albright became Secretary of State she made little effort in that direction. As she put it, she was waiting for the two parties, the Palestinian and the Israeli sides, to reach an understanding, in order for her to visit the region to give the peace march a push and put it back on track.

When the state of tension heightened in the region with a new cycle of violence, Ms. Albright came to the region and convened meetings with all the parties concerned in the peace process, whether Arab or Israeli.

She herself witnessed first hand human and material manifestations which condemn Israeli conduct and prove the necessity of intensifying efforts to prevent the deterioration of the situation in the region. Ms. Albright herself witnessed the suffering of the Palestinian people under occupation and under the strict Israeli blockade.

When she returned to Washington, she addressed an invitation to the Palestinians and to the Israelis to meet at a negotiating session in New York in the last third of September 1997. After the meeting she outlined four points at a press conference. She emphasized the security questions and the need to combat terrorism and its infrastructure. But she failed to make a clear reference to the need to put an end to settlement activity and the construction of settlements. At the same time, she referred to the redeployment of the Israeli army, but linked that withdrawal to conditions that would, in point of fact, lead to the non-fulfilment of such a withdrawal.

However, Ms. Albright knows full well that these two points are the underlying causes of the current tension and the resurgence of the cycle of violence in the region.

As is known, the Israeli Government has committed provocative acts, such as the opening of the tunnel adjacent to the holy Moslem shrine, the Haram al-Sharif, in Jerusalem which resulted in violent clashes in September of last year leaving 83 Palestinian martyrs and more than 1,300 other casualties.

majority of them supporting an increase of five non-permanent and five permanent members, while only a few expressed categorical opposition to an increase in permanent membership. The Vice-Chairmen concluded that their findings made it clear that the Open-ended Working Group should fulfil its mandate within an expeditious and realistic time-frame.

I carefully double-checked both elements — enlargement in the two categories and expeditious fulfilment of the mandate — with the views expressed by Heads of State, Heads of Government, Foreign Ministers and Heads of Delegation during this session's opening debate in September-October. Regarding the first element, I found that only 11 — which makes 12 per cent — out of 93 Member States that addressed the question of categories were against new permanent members, four of them expressing not even categorical opposition, but, rather, doubts or preference for rotation schemes on permanent seats. The rest, 81 Member States — which makes 88 per cent — favoured an increase in both categories. Among those that did not address the question were many Member States which referred in general to the official Organization of African Unity (OAU) position or which are otherwise known to support enlargement in both categories of membership.

Regarding the second element, my main criterion was: how did delegations tackle the question of the right timing? Out of 176 statements, 85 — which is almost 80 per cent of those that addressed this question — made more or less the point that a decision on Security Council reform should be taken soon. Only 18 — which is about 20 per cent of those who spoke to it — argued openly against any decision in the near future.

We must face one certainty: as long as we continue our discussion without a concrete negotiating text, all of us will continue to bargain for "best positions". If these "best positions" are maintained or new "best positions" are added, the failure of Security Council reform is guaranteed.

From the beginning, my delegation has tried to do its part to facilitate the process. We have proposed a periodic review which allows new permanent members to be replaced after 10, 15 or 20 years, thereby introducing a new and accountable concept of permanency. Moreover, we have stated on various occasions that, while discrimination within membership categories must be avoided, innovative and future-oriented ways of exercising the veto could be introduced.

In other areas, we also plead for a compromise between minimalist and maximalist positions, leading us to an enlargement package with the following features. The first is four new non-permanent members. The second is five new permanent members, three from the South and two industrialized States. Thirdly, there is election of the possible new permanent members by the General Assembly. Regional groups are not denied the right to propose regional mechanisms to the General Assembly as well; the General Assembly has the final decision. Fourthly, the original permanent members are to be engaged in a dialogue on their veto. Fifthly, the General Assembly decides about a veto for the new permanent members. If it does not agree on a solution, a high-level working group might be set up. In the meantime, new permanent members would enjoy certain interim rights.

Member States have come a long way in discussing reform. Since before 1992, when Member States were invited to submit comments on a possible review of the membership of the Security Council, the issue has been discussed year after year during the opening and the general debate of the forty-seventh, forty-eighth, forty-ninth, fiftieth and fifty-first sessions and now the fifty-second session. In addition, in 1993 the Open-ended Working Group was established, and since then it has submitted its yearly reports to the General Assembly. These reports were considered and adopted by the General Assembly in 1994, 1995, 1996 and 1997.

This issue cannot continue to be discussed in an abstract and endless manner. It ties up too many resources. Spending too much time and too many resources on dealing only with our own, home-made institutional challenges is not in line with our moral obligation to tackle the really pressing issues, issues which this Organization was created for. As examples, let me mention the areas of development, environment and human rights. In any of them, the existing situation gives serious reason for concern and requires immediate action. Can Member States and the United Nations afford to remain caught up in an internal, self-centred institutional debate which started at the beginning of this decade, if not earlier? My answer is a straight "No". Let us therefore put an end to our navel-gazing and show public opinion that the United Nations can do more than get absorbed in self-focused discussions. Security Council reform is not *l'art pour l'art*.

The imposed time-frame notion has made its entry into declarations of important groups of Member States,

such as the Non-Aligned Movement and the Group of African States, to mention only two. Germany could not agree more with this position. No one can impose a time-frame on the General Assembly. There can be little doubt either that the General Assembly is sovereign in arranging a calendar for its decisions, if it wants to. A decision taken by the General Assembly in this sense, and in accordance with the Charter and the rules of procedure, is not "imposed"; at least, I myself have never heard someone question the legitimacy of a decision of the General Assembly by calling it "imposed". What we are dealing with here is not an imposed time-frame but a most ordinary agenda. It is agendas which determine our lives. Without an agenda little would ever go ahead.

By taking a decision in the near future, we would not introduce divisions in the United Nations membership, as some have claimed. The opposite seems to me to be true: the real division would be a continuation of fruitless and antagonizing exchanges in the Open-ended Working Group without any time agenda. Rather, further damage and contention would be prevented if an early preliminary decision to put Security Council reform on the tracks were taken through a democratic decision-making process in the General Assembly.

While I am convinced that sufficient time for reflection has to be given to those who need it, I am also pleading that we give ourselves a clear agenda to arrive at a decision. Moreover, I would like to point out two things. First, my delegation, at least, was not ready, and still is not ready, to put forward a proposal, since we feel that, in particular, the question of the overall size of the Security Council has not yet been agreed entirely. Secondly, if we had found agreement on a proposal with our like-minded friends, the Assembly can take my word that it would not have been presented to the membership by surprise. We have always been open about that, to everybody, including the main sponsors of document A/52/L.7.

Let me finally turn to a point of particular importance: the proposal to go beyond the Charter and to apply its Article 108 not only to amendments, but also to "amendment implications". I have been wondering what "implications" could mean in legal terms. For instance has a resolution like the one the Sixth Committee — our lawyers — adopted on 6 December 1995, with the positive votes of Italy and Mexico and as many as 92 countries of the Non-Aligned Movement, among them Egypt and Pakistan, had Charter amendment "implications"? When I read the resolution I found that by it the General Assembly recognizes that

> "the 'enemy State' clauses in Articles 53, 77 and 107 of the Charter have become obsolete". [Resolution 50/52, thirteenth preambular paragraph]

A few lines later the resolution expresses the intention of the General Assembly to

> "initiate the procedure set out in Article 108 of the Charter ... to amend the Charter" [ibid, para. 3]

— that is, to apply Article 108 only at a later, perhaps the next, stage of the process. In my view, resolution 50/52 did have clear Charter amendment "implications", but correctly deferred the application of Article 108 to the next stage of amending the Charter *in concreto*.

To take another example: what if a draft Charter amendment resolution were to be postponed or submitted to a no-action motion? Would not we have to admit that these actions had "implications" for the envisaged Charter amendments? Or does not the General Assembly, when it decides to adopt reports of the Open-ended Working Group stating that there is agreement to expand the Security Council — see, for instance, paragraph 13 of document A/49/47 of 15 September 1995 — take decisions with Charter amendment "implications"?

Security Council reform is too important an issue to let ambiguities on the necessary voting majorities continue to exist. In paragraph 2 of Article 18, the Charter provides that decisions on important questions

> "shall be made by a two-thirds majority of the members present and voting".

I shall give an example. If for a vote on an important resolution which does not contain a Charter amendment 180 Member States are present and 170 of them vote, the necessary majority will be 114, which is two-thirds of 170. It is Germany's firm view that this majority must apply to important resolutions dealing with Security Council reform.

Article 108 of the Charter requires a majority of two-thirds of all Member States, which means at least 124 out of the present 185 Member States. Scholars and academia consider Article 108 a derogation of, and exception to, the general rules laid down in paragraph 2 of Article 18 of the Charter, and therefore not open to analogous extension and applicable only when — to quote Article 108 — "Amendments to the present Charter" are submitted. The *raison d'etre* of Article 108 is that the

authors of the Charter wanted to make sure that any amendment to be sent to parliaments for ratification would have received beforehand a sufficiently large majority in the General Assembly to guarantee its following ratification.

Introducing a term like "Charter amendment implications" is not helpful, and even risks disrespect for the Charter and its well-defined voting system. Politically, it does not make a great difference, since the necessity of reaching a two-thirds majority of members present and voting under paragraph 2 of Article 18 is undisputed. When the General Assembly decision on concrete Charter amendments is taken, the necessary majority will, of course, have to be at least 124.

This interpretation of Article 108 of the Charter seems to me to be clear. However, in order to have the question clarified for everybody, I should like to ask you, Mr. President, to request a legal opinion from the Secretariat on the issue of whether or not Article 108 of the Charter is also applicable to decisions with amendment "implications".

Mr. Amorim (Brazil): Mr. President, I would like to start by expressing my delegation's sincere appreciation for your skilful guidance in preparing the ground for today's debate. Security Council reform being one of the central issues on the United Nations agenda, it is reassuring to note that the President of the General Assembly is ready to exercise his wisdom and leadership in order to move our debate forward.

We have travelled a considerable distance since I last took the podium to address this issue a year ago. Thanks to the competence and dedication demonstrated by the co-Vice-Chairmen of the Working Group, Ambassador Breitenstein of Finland and Ambassador Jayanama of Thailand, we were able to start the year 1997 under the sign of a renewed dynamism. The exchange of views which they carried out with a total of 165 delegations, large and small, individually or in groups, revealed certain trends, providing delegations with a more focused image of where the possibilities for agreement lie. Their important findings, as transmitted to the Working Group on 10 and 14 March, have been included in our latest report, document A/51/47, under annex VII, and deserve to be recalled.

The co-Vice-Chairmen were able to discern the existence of a very large majority which favours an increase in both permanent and non-permanent membership. It is also of great significance that this majority believes there should be permanent members from both developing and industrialized countries.

These are the essential elements on the basis of which we must search for general agreement. My delegation, along with many others, is ready to proceed on Council reform taking fully into account the solid preparatory groundwork undertaken during this active year. As was made clear in the speech delivered by the Brazilian Minister of Foreign Relations, Ambassador Luiz Felipe Lampreia:

> "There is a new thrust to negotiations. There is leadership, as well as carefully crafted proposals. We must take advantage of this unique opportunity in the history of the United Nations. We must not let the moment pass. Reform has become, more than a key concept; it has become the order of the day". [*Official Records of the General Assembly, Fifty-second Session, Plenary Meetings*, 5th meeting, p. 7]

In January 1998 the Working Group will resume its activities. Brazil is convinced that there is no need for additional exploratory debates and that we should fully embark on a negotiating process. We do not favour the establishment of artificial targets of any kind for completing our work. But we also oppose attempts to unduly slow down proceedings. Let us put aside the idea of artificial time-frames of any kind, either to impose hasty solutions or to obstruct the process. Let us make the most of the present session of the General Assembly in its entirety and concentrate our attention on the issues that require further refinement, such as veto and numbers — and I will come back to that later.

In this year's general debate, Brazil expressed its willingness to accept the responsibilities of permanent membership in the Security Council, if called upon by the international community. Brazil is determined to carry out the role of permanent member as the representative of Latin America and the Caribbean so that our region may be present in the Council on a permanent basis and, through regular coordination and consultation, have a strong collective voice. As a non-permanent member, we have endeavoured in the past to maintain close coordination with countries in the region, and we will continue to do so during our next mandate. We are prepared to make this coordination and these consultations even more systematic and formal, in order

to ensure that the interests and concerns of the region will be reflected to the fullest extent possible.

We consider that the proposal contained in annex I of this year's report — the so-called Razali proposal — constitutes an appropriate framework, with the necessary adjustments, for reforming the Security Council in a non-discriminatory and democratic way, allowing for Member States to express themselves in the General Assembly on candidacies for permanent membership from both the industrialized and the developing world. The proposal provides sufficient leeway for regional consultation and does not prejudge any outcome, although it does rule out discriminatory ones, which is one of the main reasons why we value it so much. We should not forget, in this respect, that since the adoption at the end of the General Assembly's fiftieth session of the report contained in document A/50/47, we have been working under the assumption that:

> "In the event that there is agreement for an increase in the permanent membership, an increase only by industrialized countries would be widely regarded as unacceptable." [A/50/47, para. 26]

We would regard a reform which ascribed full permanent seats to industrialized countries and rotating seats to the developing world as unacceptable and contrary to that conclusion. It is a different matter if one part of the world comes forth with a specific suggestion arrived at by consensus, at the regional level, and submits it to the General Assembly. We understand that this has been a position held by African countries, and we fully respect that, even if, conceptually, we might have our misgivings.

We are confident that we will continue to move away from discriminatory conceptions of expansion and that those who contemplate the idea of permanent rotating seats as a solution for their own region will continue to hold that this is not exportable. As far as we are concerned, there is no market in Latin America and the Caribbean for this product.

In spite of the important strides made this year, we have still not found a centre of gravity as regards some complex issues, such as the veto and the total number of members in an expanded Council. Brazil has advanced several ideas with the objective of rendering the decision-making process in the Security Council more democratic, without impinging upon Charter privileges which the five permanent members are clearly unprepared to give up at this stage. We believe that there should be no discrimination, in principle, between current and new permanent members. At the same time, we have suggested that new permanent members might consider the option of not exercising their veto rights, without relinquishing them, until a comprehensive agreement on decision-making, involving all permanent members, can be arrived at. In other words, sensitive as the veto issue may be, it should not prevent us from moving ahead on expanding the Council's composition.

As to the overall number of members, a few delegations continue to have misgivings about a Council of more than 21 participants, in contrast with the preference of the wide majority for a higher figure, somewhere in the mid-twenties. While the problems related to the veto — in spite of the fact that they touch on difficult questions of principle — may be surmountable through intensified dialogue and negotiation, it appears that the numbers issue is at once a simpler but a more immediate stumbling block. It is our expectation that, as other aspects fall into place, some creative thinking on matters such as the action threshold and on improved Security Council practices and procedures may be able to help us in this regard.

It has sometimes been alleged that the incapacity of developing countries to reach consensus on prospective permanent members constitutes a major obstacle at this stage of our work. This is a gross distortion of the facts. To start with, as we all know, the strongest opposition to expansion in permanent membership is to be found in the industrialized world itself. The argument according to which there is no consensus in the regions of the South applies, perhaps with greater validity, to regions of the North. But this is not the issue. Consensus, although desirable, may not be attainable in any region, North or South. The real issues that are impeding progress are the veto and the numbers question. These should be the focus of attention as we resume our discussions within the Working Group next year.

If so many delegations have expressed an interest on this item of our agenda it is because we are here discussing the credibility of the United Nations in a principal area of concern: the maintenance of international peace and security. The future of the multilateral system of collective security rests on the legitimacy and representativeness of the Security Council. As recently stated in the British magazine *The Economist*, in an article on one of the major crises that the world is facing now,

"the Security Council is in a poor way, knowing that it should long ago have reformed itself".

Let us not prolong this agony indefinitely. Let us work firmly and responsibly towards a solution that is equitable and balanced, that takes into account aspirations of all nations, large and small, developed and developing, but, above all, let us bear in mind that this exercise is not about the prestige of any individual country or group of countries. It is about the prestige and effectiveness of our Organization.

Mr. Donokusumo (Indonesia): It is most gratifying for my delegation to note that the deliberations in the Open-ended Working Group during the past five years on the question of expansion and reform of the Security Council have, so far, resulted in progress in some areas of interest to Member States. Chief among them has been the recognition that an increase in its membership must reflect the vastly increased membership of the Organization and take into account the significant changes that have taken place in the international arena. It should also encompass the current geopolitical realities, lead to the Council's democratization and confer greater legitimacy on its decisions. Thus, the culmination of our efforts should lead to a revamped Security Council that can effectively meet the challenges of the twenty-first century.

Beyond this paradigm, however, and notwithstanding strenuous and dedicated efforts, it is undeniable that the discussions in the Working Group have been stymied over a myriad of issues, most notably the size and scope of its expansion and its modalities, the election of new permanent members and equitable representation for the developing countries, decision-making and accountability. These have so far defied a rational solution and cannot be brushed aside. The numerous proposals that have been submitted do not as yet constitute a workable hypothesis from which to proceed further and to seek an acceptable solution. This is because some of them were deemed inequitable and discriminatory and, hence, non-starters, while others call for further clarification and elucidation.

Clearly, therefore, a general agreement has so far eluded us, because of fundamental differences on the issues involved. Consequently, the mandate entrusted to the Working Group remains unfulfilled.

The fact that reform of the Security Council has been long overdue and has become urgent should not lead us to hasty and ill-considered solutions which will call into question the integrity and credibility of the reform process. In my delegation's view, that would constitute a flawed approach which is unlikely to contribute to the strengthening of the Security Council, to which we are all committed.

For these reasons, my delegation calls for a continuation of the Working Group's deliberations in addressing the unresolved issues and in narrowing our differences. We are committed to achieving further progress under its auspices and have full confidence in the effective discharge of its mandate. However, we are also acutely aware of continuing differences on many substantive issues, which have persisted. Hence, it is not tenable to adopt an expeditious approach in seeking agreements of a comprehensive nature while papering over these differences and disagreements.

This is precisely the reason why Indonesia has endorsed the call for taking the time that is necessary so that we can endeavour to reach a general agreement. It is fully in conformity with the position taken by the ministerial meeting of the Movement of Non-Aligned Countries held in New York last September, which unequivocally expressed its opposition to an imposed time-frame. The communiqué issued by the meeting along with those by the Organization of African Unity and the Ibero-American meetings held last summer should constitute reference guides for our future endeavours.

It is self-evident that the complex set of issues attendant upon the question of expansion and reform of the Security Council is not amenable to a general agreement at this point of time, which has rendered imperative the renewal of dialogue for a thorough discussion of all the questions without an artificial acceleration of the whole process. That would afford an opportunity not only to undertake a review and reappraisal of the proposals already submitted, but also to consider new proposals such as two new permanent members for the developing countries of Africa, Asia and Latin America. And it would also deal with Article 108 of the Charter, which will surely be invoked in the event of amendments and whose centrality and sanctity must be preserved. Its faithful and consistent implementation must be ensured in the context of the restructuring of the Security Council.

In conclusion, Mr. President, my delegation is deeply indebted to you for your role in facilitating assurances from interested Member States that:

"we will not be taking any decisions on this item at this stage of its consideration."

You have thus paved the way for a fuller discussion of all the issues involved and for a democratic decision by the General Assembly. This augurs well for our future endeavours in seeking well thought out and balanced decisions.

Mr. Ka (Senegal) (*interpretation from French*): For the fourth consecutive year, the Assembly is meeting to consider the report of the Open-ended Working Group on the question of equitable representation of and increase in the membership of the Security Council and other matters related to the Council. This indicates the great importance of what is at stake and the complexity of the question of reform of this powerful decision-making organ of the Organization.

Since the General Assembly decided to establish the Open-ended Working Group on reform of the Security Council in 1993, every delegation here has devoted a great deal of energy to thinking about the issue and a great deal of time to seeking points of agreement in an attempt to achieve the much desired reform of this central organ of the United Nations system in a spirit of harmony.

I am pleased to emphasize and welcome the commendable efforts of States individually and groups of States collectively to make their valuable contributions to this joint thought process.

The presentation last March by the outgoing President of the General Assembly, Ambassador Razali, in his capacity as the Chairman of the Working Group, of documents summarizing the proposals of Member States, and the relevant decisions adopted by the Ministerial Conference of the Movement of the Non-Aligned Countries in New Delhi and the Organization of African Unity Summit in Harare, as well as the American proposals on the reform of the Council, are, in the view of my delegation, major steps forward stages and provide a perfect illustration of our collective commitment to promoting conditions for a significant breakthrough in our work.

However, there is no denying that despite these concrete, commendable efforts, prospects for complete and comprehensive reform of the Security Council to make it a modern, democratic and transparent organ are still an objective, a goal that is yet to be reached. Indeed, many questions are pending, in particular those relating to the expansion of the two categories of membership of the Council, the composition of the Council, the use of the right of veto, improvement of the Council's working methods, and the question of periodic review.

With regard to expansion, there can be no doubt that there are still marked differences between those advocating an expansion in both categories and those proposing an expansion limited only to the category of non-permanent members.

In this debate, we Africans have proposed and insist upon an expansion of the Council in both categories of members, and the granting to Africa of at least two permanent and two non-permanent seats, which would be apportioned to African countries on the basis of decisions by the Africans themselves, through a system of rotation based on criteria which are specific to Africa.

In this regard, the African Group will soon present a document on the concept and modalities of that rotation and its application to the permanent seats. In my view, this document is a major contribution to the efforts of our Working Group and deserves to be studied by the countries of the Group which are interested in this concept.

Once again, my delegation feels that the formula for this rotation is an African recipe. It is a system drawn from African wisdom, and which as such cannot be exported.

Turning to the question of the composition of the future Council, my delegation has always expressed the hope of achieving a dynamic compromise on the two current positions — that of democratization in representation, which presupposes a Council expanded to 26 members, and that of effectiveness in the functioning of the Council, which would reduce that number to 21. The dynamic compromise we seek, if it is to be achieved, should not occur to the detriment of the interests of our continent of Africa.

I am certain that the Chairman of the African Group, or the representative of Zimbabwe, whose country currently holds the presidency of the Organization of African Unity (OAU), will speak during the discussion to set out the African position on Security Council reform in detail.

On the issue of the veto, we have noted the resistance in some quarters, especially among certain

permanent members, to accepting changes with respect both to the limitation and the elimination of the right of veto which has, in the eyes of the majority of States, become an anachronistic right.

On the basis of the principle that debates dealing with the expansion of the Council and the application of the right of veto could lead to a real blockage of all our discussions, last April I put forward, on behalf of my delegation, the idea of engaging in an in-depth debate on the question of the veto with the permanent members, in order to reach an agreement with them on modifications which, by common consent, could be made to the scope of application of the veto.

At that time, I advocated entrusting the study of the delicate and complex question of the veto to a restricted but open committee made up of certain designated ambassadors within the Working Group, whose mandate would be to focus exclusively on an overall in-depth study of the question of the right of veto, bearing in mind the views of the permanent members and the numerous ideas developed by Member States in the debates.

To my mind, this committee on the veto should work at the same time a the high-level Working Group sessions, so that the conclusions to be submitted to the broader Working Group will fit smoothly into a general agreement on the reform of the Security Council. I believe that this approach elicited some interest, and I am happy to note today that this idea has made some headway and could be taken up again in the framework of our future negotiations.

Once the scope of application of the veto has been defined and accepted, the privilege of using that power should, in my delegation's view, belong to all permanent members, both the current ones and the new ones.

During our debates, many delegations have also put forward useful suggestions for improvements in the Council's methods of work which, if applied, would ensure greater transparency and legitimacy in this central organ of the system. Commendable efforts have already been carried out along these lines. They deserve to be followed up on, and the measures recommended should be institutionalized.

Likewise, and with a view to allowing the Security Council to adapt and play its full role as described in the Charter, it seems to me essential to establish a system of periodic review that would take world developments into account. To my mind, and as I understand it, only the length of the review period remains the subject of some differences of opinion, which I consider to be surmountable if the political will exists.

The work of reforming the Security Council calls for an innovative and responsible approach on the part of the Member States, bearing in mind the very special interest given to this organ. The high-level Working Group on the reform of the Security Council has made considerable progress, even if consensus has yet to be achieved on such fundamental points as expansion, composition and the right of veto.

In my delegation's view, this is the time to appeal for a redoubling of our efforts and imagination and to make maximum use of the momentum created by our discussions, so as to achieve our objective of restructuring the Security Council as soon as possible.

My delegation therefore supports the recommendation made by the Working Group whereby the General Assembly would allow it to continue its work during this fifty-second session of the General Assembly.

In conclusion, my delegation feels that the present work on reforming the Security Council is a historic opportunity, in the wake of the reform of 1965. For us, the countries of Africa, this is the only opportunity we have to be better represented within this organ. My country therefore feels that we should not be obliged to lose this chance to become future permanent and non-permanent members of this organ, which is invested with genuine decision-making power within the system.

It must be acknowledged that there are still problems to be solved, compromises to be reached, and reconciliation to be achieved. Let us be brave enough to say so. But let us also agree, in good faith, to move forward by capitalizing on the points of convergence and preserving what has been achieved and the momentum created, so as to bring to a harmonious and reasonably speedy conclusion our joint inquiry into the important issue which has been entrusted to us.

Mr. Tello (Mexico) (*interpretation from Spanish*): Today, the General Assembly is considering the question of equitable representation on and increase in the membership of the Security Council. This topic has undoubtedly occupied an important place in reflections on United Nations reform, and has attracted the attention of public opinion.

Only a few months ago, when it concluded its deliberations on the subject for 1997, the General Assembly had the opportunity of examining the report submitted to it by the Open-ended Working Group dealing with the matter. The Assembly adopted without a vote the draft decision contained in paragraph 10 of document A/51/47, recommending that the Group continue its work during the present session. The delegation of Mexico joined in that consensus, and it is now offering to participate actively in the discussion of this important subject when the Working Group meets again in 1998.

Throughout our deliberations, Mexico's participation in the Working Group has been consistent with the position we have taken since the composition and decision-making methods of the Security Council were discussed in 1945 during the San Francisco Conference.

As the documents of the Conference which gave birth to our Organization attest, even then Mexico was not in favour of creating the category of permanent members of the Security Council. We believed then, and we continue to believe today, as was recalled by the Minister for Foreign Affairs of Mexico during the general debate at this session, that this division

> "establishes a discriminatory situation — a situation which is exacerbated by the permanent members having been given the right of the veto". [*Official Records of the General Assembly, Fifty-second Session, Plenary Meetings*, 9th meeting, p. 24]

The political circumstances in 1945 compelled us to accept that in an Organization based on the principle of the sovereign equality of States, five of its Members would enjoy a higher status with special rights and prerogatives.

In line with this position of principle, by which we have stood since 1945, the Mexican delegation submitted in 1995 a specific proposal on the enlargement of the Security Council for consideration by the Working Group. That proposal, which is being circulated in this Hall today, provides for an increase of five members, all of them in the non-permanent category. I wish to reaffirm here that our suggestion remains on the table awaiting substantive consideration.

We have been asked why we continue to insist that the increase in the composition of the Council should be confined solely and exclusively to the category of non-permanent members. The reasons we gave at the time we submitted our proposal remain valid. We are convinced that the Council needs to be enlarged to reflect the current composition of the Organization and, at the same time, to ensure that it is an organ that acts efficiently and effectively while being more transparent and, above all, more democratic.

We know that there are a number of countries, led by the so-called pretenders, that argue that the best way of reflecting the present world situation as this century draws to a close can only be through an increase in the number of permanent members of the Security Council. The reason, we are told without further justification, will confer greater legitimacy on its decisions. Nevertheless, they have not been able and, indeed, are not able to explain why a Council with 10 permanent members would be more efficient. They do not tell us why a Security Council with 10 permanent members would be more effective. Nor are they able to explain why a Security Council with 10 permanent members would act more transparently than it does at present. And they are of course unable to convince us — because there are no arguments to support their case — that a Security Council with twice the number of States holding the immense power and privileges enjoyed by permanent members would be more democratic.

If we limit ourselves to the best-known possibility and conduct an analysis of the configuration of the Security Council with the so-called pretenders included, the result would be to undermine the principles enshrined in the Charter, which we all maintain to be of special importance, such as those establishing the sovereign equality of States, equity and geographical distribution.

If the so-called pretenders were to realize their dream of becoming new permanent members, we would then have a Security Council in which the European Union, made up of 15 States, would have three permanent members. It must not be forgotten that the European Union, which undoubtedly represents a new factor in international relations, aspires not only to a single currency but also to the establishment of a common foreign and defence policy. Of course, we wish the European countries every success in achieving the goal of integration they have set for themselves. What cannot be explained is why, in the same context, they feel the need to have, not one, not two, but three permanent members.

Since 1991 we have been teaching our children that the cold war is over. We welcome that fact, but we wonder why the North Atlantic Treaty Organization, a

military alliance now made up of 16 countries that was established in the context of bipolar confrontation, wants to have four permanent members.

A still more illogical projection is what would happen to the group of States known as the Group of Eight. This handful of countries would have six permanent members. Six of its eight members would belong to the privileged category. In this scenario, we would have a Security Council in which the privileged group would be predominantly European and, obviously, developed. Is that genuine geographical balance? Whatever happened to the principle of equity and representativeness? It is totally ignored in this new composition.

Finally, I wish to reiterate emphatically that for Mexico it is unacceptable that, as we approach the end of the century, an attempt should be made to increase the number of States enjoying the privilege of the enormous power that the Charter confers on the permanent members of the Security Council.

We do not believe there is any justification whatsoever for establishing new power centres in our Organization. We have said so before, and we repeat it now. We are convinced that the five States to which the Charter assigned special status — by a majority decision, not a unanimous one, in San Francisco — are more than enough.

If we really want to make progress on resolving this issue, we shall have to devise equitable and non-discriminatory mechanisms that are acceptable to all. We again urge the pretenders to give up their ambitions and act in accordance with the spirit of democracy and equity that should be the lifeblood of international relations at the end of the century.

I should like now to refer briefly to the most obvious exceptional power conferred by the Charter on the permanent members of the Security Council. This is, of course, what in legal terms is called the rule of unanimity of the permanent members, and is generally known as the privilege of the veto.

We have learned to live with the injustice of a provision that we had to accept in San Francisco and that we were assured would maintain unity among the victors of the Second World War. In fact, however, the veto did not serve this purpose. The rivalry between the Powers was apparent from the very inception of our Organization, and for many years their antagonism even prevented the admission of new members to the United Nations. More than 20 States, victims of a confrontation that had nothing to do with them, had their entry unnecessarily postponed. It may be noted, as an interesting footnote, that among them are the main pretenders to a higher category and to the privilege that did them so much harm in the past.

In San Francisco, Mexico was opposed to the granting of the veto. In a one-sided struggle, the appetites and ambitions of the Powers won out over the voices of reason and equity. Subsequently, Mexico consistently opposed the indiscriminate utilization of that prerogative, the abuse of which, as my country's Minister for Foreign Affairs pointed out in the general debate, many times prevented the Council from performing its most essential work.

In San Francisco, Mexico supported Australia's proposal that the scope of the veto should be confined to measures undertaken on the basis of Chapter VII of the Charter. At that time the winners of the Second World War also frustrated that attempt to moderate the exercise of the veto power. Now, half a century later, we urge them to reconsider that attitude. Unilateralism must give way to and make room for the collective aspirations to equality and democracy.

The process of enlarging the Security Council has its own rhythm. A solution cannot be rushed. The Non-Aligned Movement, the Organization of African Unity, the Organization of the Islamic Conference and, at the Latin American level, the Rio Group have all spoken out at the highest level in favour of giving time for reflection, so as to arrive at the "general agreement" referred to in the General Assembly resolution that established the Working Group. Echoing the voice of the vast majority, Mexico's Minister for Foreign Affairs stated in the general debate:

> "The issue is too important to be dealt with hastily." [*Official Records of the General Assembly, Fifty-second Session, Plenary Meetings*, 9th meeting, p. 25]

We reaffirm our conviction that the reform of the Security Council should be a project that unites us, not an issue that divides us. It is not a question of a source of national prestige, nor of a way of strengthening regional hegemony. Rather than special agendas, what should guide our efforts is the interest of the United Nations. We need a reform that will promote unity of leadership and purpose in the Organization and not weaken the

factors that give stability and cohesion to matters of general interest.

Let us work to build an efficient, effective, transparent and democratic Security Council that reflects the interests of all regions without discrimination, without special statuses or exclusive privileges. Only in this way will the objective of adapting the Council to present circumstances be attained. Only in this way will its decisions have legitimacy and representativeness.

In the search for a Security Council of that kind, the Working Group can count on the active and resolute participation of Mexico.

Mr. Sucharipa (Austria): The fact that so many delegations can muster the energy to speak once again on this item, on the issue of Security Council reform, constitutes undeniable proof of our collective resolve to advance the issue in spite of the considerable conceptual gaps that still exist between various positions. What unites all Member States is a broad feeling that expansion of the Council and revision of its working methods is urgently required in order to ensure for the future its representative character and legitimacy.

Like those of most other Member States, the Austrian position on Security Council reform has been expressed in detail over the last four years. Our views have been incorporated in a working document that we submitted together with Belgium and a number of other Member States. That paper is reproduced in document A/49/965.

We believe that expansion should occur in both categories — permanent and non-permanent — and that the balance in the composition of the Council between permanent and non-permanent membership should be maintained within an overall number not exceeding 25. The representative character of the Council depends not only on the number of permanent members but also on the specific contributions non-permanent members have consistently made over the years to the work of the Council. New ideas and new approaches have again and again been initiated by non-permanent members, and more often than not, these members have also made valuable efforts to maintain the necessary liaison with the vast majority of United Nations Members not serving on the Council.

Expansion of membership in both categories will have to ensure a better representation of developing countries. Thus, while we support the interest of Japan and Germany in serving as permanent members, we equally support parallel interests from qualified countries of the South. Expansion in the non-permanent category will, by and large, have to follow recognized principles of geographic distribution.

We advocate a curtailment of the veto power, ideally limiting it to actions under Chapter VII, and do not wish to see more prominence being given to this instrument through the expansion of the category of permanent membership.

We strongly support efforts to further increase transparency in the working methods of the Council and enhanced possibilities for non-member States to have their views heard.

Finally, we believe that a periodic review of the composition of the Council would also help maintain its representative character for the future. Such a review should examine whether potential future changes in international relations should and could be reflected through further structural changes in the composition of the membership.

It must be obvious to everybody following this debate that more efforts will be needed to construct bridges between various national and group positions. While we maintain the view that our position, as outlined, marks the middle ground and thus should help us in the search for a compromise, we realize that at this stage further innovative thinking might be needed. In this context, let me pay special tribute to President Razali for his valuable contribution to this process. Likewise, let me thank the two Vice-Chairmen of the Open-ended Working Group for their relentless efforts. The fact that today we have not yet arrived at agreement on Security Council reform is certainly not due to any lack of energy or devotion to this issue on their part.

I assume that we all want to move forward towards constructing an expanded Security Council with strengthened capacity and effectiveness, enhanced representative character and improved working efficiency. After all, this appears as the major conclusion in the report of the Working Group.

In order to do so, I believe we should ponder a number of questions which, even after four years of intensive discussions, would profit from further clarification and subsequent negotiations. I should like to mention three of these issues: overall size of the Council,

decision-making process and rotating permanent membership.

With regard to size, we need to arrive at an understanding on the acceptable outer limits of expansion. This number will have to go beyond the conservative attitudes expressed by some of the current permanent members if we want to generate sufficient support for an expansion model. At the same time, the number will have to stay below certain maximum figures if we want — as we must, by virtue of Article 108 of the Charter — to positively engage all the permanent members in the ratification process.

With regard to the decision-making process, the most difficult compromises are yet to be found. We would suggest that a combination of measures to reduce the veto power of current permanent members and an appropriate definition of the action threshold in a newly constituted enlarged Council might be a road worthy of further exploration.

Finally, on rotating permanent membership, I do not wish to hide the fact that my delegation still has certain difficulties with this concept, as do others. However, should this be the key to the magic solution we seem to be looking for, I believe the concept would and could then gain sufficient support; but for that to happen further explanations will be necessary.

Under Article 24, paragraph 1, of the Charter, the Members of the United Nations confer upon the Security Council the primary responsibility for the maintenance of international peace and security and agree that in the discharge of this duty the Council acts on their behalf. What can be done to reconcile this concept with systems of regional rotation? In the most likely case — that future permanent members will not enjoy veto powers — can one envisage permanent members without the two main characteristics of permanent membership? If so, what can be done to minimize this obvious inconsistency?

I have tried to pinpoint some of the more important issues that, in our view, still need further elaboration. Other delegations have referred to similar or other issues. I believe that this should not disappoint or discourage us. It should not come as a surprise that a major undertaking of this kind needs sustained efforts by all interested delegations.

After four years of fairly intensive debate, my delegation remains interested in seeing a swift result of our deliberations. Discussions until now have resulted in the widely held view that the current composition of the Council is no longer representative and that the Council therefore lacks legitimacy. This situation is unhealthy. It needs to be redressed. Hence, our interest in seeing reform of the Council brought about as soon as feasible.

Mr. Sharma (India): As the reform session of the General Assembly begins its consideration of a cardinal aspect of the reform of the United Nations, I would like to pay tribute, Mr. President, to the sagacity with which you have ventured to clear the atmosphere that seemed to have clouded consideration of the item pertaining to the question of equitable representation on and increase in the membership of the Security Council and related matters.

We welcome your reappointment of the Bureau of the Open-ended Working Group and your decision to have it resume its work early next year. It is reassuring that we shall continue to benefit from the guidance and diligence of Ambassador Breitenstein and Ambassador Jayanama when the Group tries once more to bring its mandate to fruition.

My delegation associates itself with the statement to be made by the Permanent Representative of Egypt on behalf of the Non-Aligned Movement.

The imperatives of reform of the Security Council are well recognized. The challenge that faces us now is to translate the identifiable consensus that exists in favour of Security Council reform to a general agreement on the nature and modalities of the reform exercise. Expansion of the membership, improvement of the working methods and changes in decision-making procedures have been widely identified as essential ingredients of the comprehensive package of reform.

We unanimously agreed at the last session that we should continue building on the work done during previous sessions. It is therefore incumbent on us to continue the process of developing a widely shared perspective during the current session in a sustained and objective manner. Such an exercise will carry weight by being transparent, participative and devoid of suspicion and distrust.

India's position on the variety of issues related to this subject reflects our willingness to proceed in an objective manner. On the issue of expansion, we have held that it is an objective reality that the ratio of the Security Council membership to the General Assembly

membership has declined from 1 to 4.6 at the time of the adoption of the United Nations Charter, to 1 to 12.33 today. The ratio of permanent Security Council members to the General Assembly membership has declined from 1 to 10 in 1945 to 1 to 37 now. The present permanent members of the Council have a combined population of about 1.8 billion. This leaves two thirds of the world's population without representation in the permanent category in an Organization whose Charter was framed in the name of "the peoples of the United Nations".

Mr. Abu-Nimah (Jordan), Vice-President, took the Chair.

Imbalance in the permanent membership of the Security Council arises not only from the exclusion of an overwhelming section of the world population, but also from the disproportionately high representation of a particular group of countries. This situation needs to be alleviated rather than accentuated. Developing countries need to be represented equitably in the permanent category. The Prime Minister of India, in his address before the current session of the General Assembly, emphasizing this need, stated:

> "In this way the decisions of the Council will truly reflect the wider membership of the United Nations. Otherwise, the Council's actions will be seen as progressively less representative at a time when it is being called upon to act far more frequently than before on behalf of the world community". [See *Official Records of the General Assembly, Fifty-second Session, Plenary Meetings*, 9th meeting]

This need is all the more pressing in the era of globalization that is upon us, when the affairs of the world are being woven together more closely than ever before.

The expansion of the Security Council must equip it to face the challenges of the next millennium. An inclusive approach would strengthen it. Any attempt to exclude developing countries from the highest echelon of the Council's membership would weaken its credibility and support for its actions.

To us, as to a vast majority, the requirement of an expansion in both the permanent and non-permanent categories is self-evident. The creation of intermediate subsidiary categories will not address the central issue of correcting the imbalance within the permanent category of the Council itself, which is what we are mandated to rectify. It will perpetuate the imbalance, the recognition of which is the starting point of this reform exercise, rather than redress it.

India has always held that a normative approach, which brings coherence to the debate, should guide the exercise of reform of the Security Council. The aim is to achieve a broad-based rather than a piecemeal expansion. This can be encouraged if criteria are discussed so that a uniform perspective informs the appreciation of what is involved in expanded permanent membership. Elements relevant here would be the share of humanity represented by a country; geographical spread; size and potential of the economy; contributions within the United Nations system as a whole, and particularly to peacekeeping; an independent and constructive engagement in world affairs; and, to meet the challenges of the approaching millennium, the evolving potential of a State. During the general debate, other Member States also emphasized the need to orient the exchanges before us towards a consideration of criteria. Perhaps it would be useful to pursue this path further when the Working Group resumes next year. It would ensure a non-discriminatory approach and develop a uniform perspective, principles to which we have committed ourselves.

The General Assembly is the most representative organ of the United Nations. This indeed is the forum where the choice of any new permanent members should be made without any precondition or any predetermination. Resolution 48/26 called for an expansion of the Security Council to be based on general agreement. This was affirmed by the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi last April, as well as by the recent meeting of Foreign Ministers of the Non-Aligned Movement held in New York in September. The idea of consensus at a regional or group level cannot therefore be relevant.

Reform of the Security Council is not only a matter of evolution in its composition and size but also an opportunity for reviewing its working methods so as to provide for enhanced transparency, greater accountability to the general membership of the United Nations through a more purposeful relationship with the General Assembly, and a new understanding of its decision-making procedures. The Non-Aligned Movement has provided constructive suggestions on the entire array of issues under this rubric. There has been substantial convergence of views on a variety of measures. We hope that the forthcoming discussions in the Working Group

will also lead to further progress on how to proceed with the institutionalizing of agreed measures.

Non-discrimination is an ideal that has imbued our approach on all aspects of Security Council reform. Any new understanding of decision-making procedures and veto needs to be in conformity with this guiding principle.

Finally, any package that we arrive at would, of necessity, be subject to an appropriate review, not because it is the first step in a long-drawn process, but because constructive adaptation to change is essential to preserve the effectiveness of any organization, particularly one representative of the entire world community.

There is a clear and categorical national consensus in India, cutting across the entire political spectrum, that India could appropriately shoulder the responsibilities of permanent membership in an expanded United Nations Security Council. India's position on this was declared initially in 1994 and reiterated recently by Prime Minister Shri Inder Kumar Gujral in his address to the General Assembly plenary. The Prime Minister reaffirmed that India is prepared to bear in full the responsibilities of permanent membership.

Permanent members are expected to bring with them a global vision and global responsibilities. From the earliest days of the United Nations, India has been instrumental in placing on its agenda issues on which it has had the most success, including decolonization, apartheid and human rights. Permanent members have a special responsibility for the maintenance of international peace and security. India has shown a constant commitment to this objective since independence. Since the creation of the United Nations, India has been a leading contributor to United Nations peacekeeping operations, including in the most complex operations in Korea, the Congo and Somalia.

This year we celebrated the fiftieth anniversary of Indian independence. We have come a long way since 1947. For the past five decades, we have developed progressively effective national capabilities and self-reliance over a wide range of sectors, particularly in the national economy, diverse areas of advanced science and technology, and human-resource development. All this and much more has been achieved within the framework of a transparent and vibrant democracy. Our endeavour is to contribute to the overall international effort towards economic development, peace and stability.

Over the past five decades, India has been committed to forcefully articulating the concerns, priorities and perspectives of the developing world with reason, balance and a constructive orientation.

It is true that the process of reform of the Security Council has been under way for four years. However, the effort expended on this necessary venture has not been without success. We feel that some progress has been made, and we should continue assiduously to advance it. India will continue to be engaged actively and constructively in this endeavour.

Mr. Mesdoua (Algeria) (*interpretation from French*): Let me begin with sincere congratulations to Ambassador Breitenstein of Finland and Ambassador Jayanama of Thailand on their reappointment as co-Vice-Chairmen of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and other matters related to the Council. By renewing its expression of confidence in them, the General Assembly has put on record its recognition of their tireless efforts in the service of the Group and, above all, for their patience.

Our debate on Security Council reform is taking place in a context marked in particular by the ongoing discussion of the Secretary-General's reform proposals. Here the General Assembly recently adopted a major resolution on a series of measures, and is about to pronounce itself on institutional reforms intended to chart a course for the modernization of the United Nations so that it will be better prepared to meet present and future challenges. However worthwhile and important it is, this effort will remain incomplete unless it is complemented by more substantial reform with the ultimate purpose of rewriting obsolete provisions of the Charter and modernizing institutions and relationships within the Organization that still reflect the logic and concerns of the world as it looked at the end of the Second World War.

Because it is at the centre of our system of collective security, and because it is the place for the expression of and, sometimes, for clashes between the interests and stakes of the powerful, the Security Council represents — along with reform of the Council — a test of our collective readiness to establish more democratic and more representative institutions and to build international relations that bear the stamp of justice and solidarity.

Since the General Assembly decided four years ago to debate this item in plenary meeting, delegations have traditionally sought in their statements to take stock of the results of the waning session and to look to the prospects for the future. The temptation to do this is all the greater today, because the present session has been especially eventful. It will be remembered as the session that most clearly demonstrated our inability to find a compromise satisfactory to all. It will be remembered also as the one that brought our frustrations into clearest focus.

We must acknowledge that no progress has been made on substantive issues. Whether on the size of the Council, its composition, the procedures for selecting new permanent members, or even more so the question of the veto, to name but a few, the gap between positions has grown deeper and wider, rather than narrowing thanks to desirable compromise. In part, this is because of the sensitive and complex nature of this exercise, and because of our ambitious effort to achieve genuine, across-the-board reform of the Council. Along with many others, my delegation has always favoured reform that would not be limited to a mere facelift or to a simple arithmetic process, like that which took place in 1965 — in this case increasing the number of seats on the Council from 15 to 24.

With this in mind, my delegation has encouraged the Working Group to show imagination and to reflect seriously on innovative ideas. Here I note with great regret that the idea of rotating permanent seats, recommended by the African Group and endorsed by the Harare summit, has not been adequately explored. It is a viable approach which — contrary to what its detractors, who would confine it to a specific geographical arena, say — could respond to our wish for more equitable representation in the Council.

The lack of tangible progress on decisive questions relating to the enlargement of the Council should not make us forget the major achievements made on the second group of matters, relating to the working methods of the Security Council, which in our view are no less important. On these, the Working Group had very constructive and fruitful discussions, including on substantive matters such as the institutionalization of measures the Council itself has taken to increase transparency in its work and of additional measures suggested for the most part by the Movement of Non-Aligned Countries. Moreover, it is undeniable that improvements in the Council's working methods and procedures have been the result of the pressure and positive influence that debate and discussion in the Working Group brought to bear on Council members. It is therefore important for this dynamic to continue in order to solidify and, above all, to consolidate these achievements.

The Working Group is ready to resume its work at the fifty-second session in a climate marked by growing impatience and frustration. It is clear that such a climate does not favour the dialogue that is necessary for a compromise that can win support from the broadest possible majority. We must therefore work to restore the conditions for open, calm debate, and must avoid any action that could further impair the climate or trigger useless and harmful divisions. In that connection, my delegation welcomes the fact that reason and a wish for the general interest to prevail have very recently carried the day over confrontation.

We must make it clear that the principles that should guide our discussions, as forcefully outlined by the Movement of Non-Aligned Countries and by the Organization of African Unity, include rejecting the imposition of a deadline on the work of the Group while recognizing the need to arrive speedily at a satisfactory solution on the basis of general agreement. Because of the stakes and scope of this exercise and its impact on the future of the United Nations, we must act prudently and realistically, and must ensure that we act in the context of a genuine process of renewal and modernization of the Security Council, to which we all aspire.

Above and beyond the strict respect for the provisions of the Charter that is imperative in all circumstances and for all States — especially when it comes to amending the Charter — it is important today to ensure the cooperation and support of the greatest possible number of Member States, so as to secure the full meaning and breadth of Article 24 of the Charter.

Mr. Fulci (Italy): Five years have elapsed since the General Assembly asked the Secretary-General to launch the exercise on Security Council reform by submitting a questionnaire to all Member States. Almost four years to the day have gone by since the General Assembly established the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council. Yet today, as I speak, a solution still appears as elusive as ever. Positions remain far apart, very far apart.

The Working Group has spent the last nine months on the so-called Razali framework resolution, named after the former President of the General Assembly who fought a personal campaign to promote it. The core of

his latest proposal is that two new permanent seats be given to industrialized countries and three to the developing nations of Africa, Asia, and Latin America and the Caribbean. This puts the three regions between two alternatives: the improbability of one country from each continent being selected, and the likelihood of permanent rotating seats. In other words, the "quick fix", which the "great pretenders" say they don't want but re-propose by deed if not by word.

Nobody has yet been able to explain to me the difference between permanent rotating seats without the veto power and regular non-permanent seats. In substance, the Razali proposal would grant two real permanent seats, with full rights and privileges, even if without the veto yet, to industrialized countries, in exchange for three pseudo-permanent seats to the nations of the South. I ask: how can anyone imagine that developing countries would accept such an exchange, perpetuating — no, aggravating — the present situation?

Currently all five permanent members are from the world's northern hemisphere and are industrialized, or on the verge of becoming so. Under the Razali system, that number would grow from five to seven, with no real, true permanent seats going to the southern hemisphere. As the President of the Italian Republic, Oscar Luigi Scalfaro, said in this Hall in April of last year:

> "An Olympus of powerful countries could widen the gap and thus reduce the interest of the excluded, demeaning their political commitment in the process and perhaps marginalizing them and giving them the dangerous feeling that they are token presences, mere spectators of the decision taken by others." [See *Official Records of the General Assembly, Fiftieth Session, Plenary Meetings*, 103rd meeting]

The very idea of permanent seats is rooted in international realities which prevailed at the end of the Second World War. As our Mexican colleague, Ambassador Manuel Tello, reminded us this morning, even then the idea did not seem to enjoy vast popularity.

When the United Nations Charter was drafted in San Francisco, only 30 of the 51 original members — that is, barely more than half — voted in favour of establishing permanent members of the Security Council, who could block forever, in perpetuity, any challenge to their status through the veto. While the winners of the Second World War may have succeeded in imposing such a solution back then, it does not mean they can do it again today.

In the last half century, the world has changed, and changed profoundly. Back in 1945, the great majority of countries present in this Hall today were still colonies. Now they are all sovereign, fully independent nations. And like all Member States, they treasure their sovereignty, perhaps more than anyone else. The new nations are certainly in no mood to submit to the virtual hegemony of another country, no matter how big, on their own continents. No one is ready to dilute his sovereignty in any way, fashion or style. As our colleague from Spain, Ambassador Inocencio Arias, is fond of saying: "No one really wants to act like Esau, who sold his birthright for a plate of lentils".

From the beginning, we Italians have maintained that the Razali proposal was inadequate. The same applies to the offspring of that proposal, announced by the United States in July. Both the Razali proposal and its American offspring would leave us with three categories of permanent members: permanent members with the veto, permanent members without the veto and pseudo-permanent members from developing countries — and, of course, the non-permanent members become relegated to a fourth-class category. Some of you may recall the immediate reaction in the Working Group, when this formula was announced, of the former Ambassador of India, Prakash Shah, who said: "If the developing countries rotate, so must the industrialized nations". And if I may remind you all, the principle of universal rotation is the main-stay, the very basis, of the Italian proposal for reform of the Security Council.

The Ambassador of Egypt, Nabil Elaraby, underlined last year that rotation solutions:

> "would give a larger number of countries in all regions the opportunity to assume, in turn, the responsibility of Security Council membership, thereby strengthening its role and credibility".

The pretenders to new permanent seats have claimed that a solution is "tantalizingly close". I fail to be tantalized. The truth is that on the basis of the informal, confidential consultations conducted by the co-Vice-Chairmen with Member States at the beginning of this year, the faulty assumption arose that everyone in this room was ready to accept new permanent seats of any kind.

What I believe happened is as follows: in the darkness of the confessional box, Member States were asked, "Do you want an increase in permanent seats?"

The answer, of course, was "Yes". How could it have been otherwise, since, for instance, 52 Heads of State or Government of the African countries have already agreed that they want two permanent seats, with the veto, for their continent. But if the Permanent Representatives of those 52 African countries had been asked whether they would be willing to accept only one pseudo-permanent seat, without the veto, I am sure the response would have been a resounding "No".

The time has come to seal the confessional box and consider only the positions that have been expressed in the light of day and for all to see in the Open-ended Working Group — the one and only place where Member States can make their positions clearly known to the Chairman and to each other on this crucial issue.

My delegation, the delegation of Italy, has been accused of favouring the status quo. This is simply not true. Our only aim has been, and remains, to firmly oppose unfair and discriminatory proposals. This was best put by my friend Ambassador Kamal of Pakistan, who last year said,

> "any increase in the permanent membership would serve the interests of only a few countries and would be to the detriment of small and medium-sized countries, which constitute the overwhelming majority of the membership of the United Nations." [*Official Records of the General Assembly, Fifty-first Session, Plenary Meetings*, 49th meeting, p. 2]

We continue to strongly believe that Security Council reform is long overdue. This is why we have presented our own proposal, modified it in response to helpful suggestions and kept it on the table. As the Assembly knows, it has received statements of support or interest from a good 81 countries. We know that this support is not sufficient, since it falls short of the 124 votes that we firmly believe are needed for approval of any Security Council expansion. But maybe now the wind has changed, since it has become widely recognized that if the developing countries are forced to rotate, industrialized countries must also rotate. So perhaps the Italian proposal could come on stage again.

As the Foreign Minister of Italy, Mr. Lamberto Dini, said in his addresses to the General Assembly, Italy is willing to examine and support other formulas that are not incompatible with the principles upon which our own is based: democracy, real equitable geographic representation, effectiveness, efficiency and transparency. Another possibility, of course, is the fall-back position of the Non-Aligned Movement, which calls for an increase, for the time being, only in the non-permanent seats in the event that no agreement can be reached on the other categories of membership.

This leads me to our reasons for joining 21 other sponsors in presenting draft resolution A/52/L.7, which, I would once again like to underline, is of a procedural nature. Some have said that we are sending the wrong message and are pushing an aggressive approach. The exact opposite is true. As a very distinguished colleague noted, ours was simply a measure of "preventive diplomacy". It addresses three basic issues: first, the need to avoid any imposed time-frame until general agreement has been reached; secondly, the quorum required to pass any enlargement of the Security Council; and thirdly, the need to continue discussion of the question in the Open-ended Working Group, to give all Member States the chance to fully participate.

Let me elaborate briefly on these three points. With regard to the first one, we have been called by some the "inertia group". In reality, we have always maintained that reform is a matter of urgent attention, but not at the cost of sacrificing general agreement. After we submitted draft resolution A/52/L.7, Italy was asked to withdraw its support, sometimes in rather robust terms, as were others among the 22 sponsors. We resisted this suggestion. To prove our point, we insisted to the President of the General Assembly that the Working Group be reconvened in the second half of January, at the latest. The other side sought to postpone discussion until as late as March or even April, and even to cancel today's debate — a debate which, I am sure, will prove how deeply divided the membership still is on the issue. We needed only to listen to those who spoke before me to realize how true this is.

The second point, the necessary quorum to approve any reform or expansion, is by far the most important of the three issues. Again and again, every side has repeatedly argued that we need general agreement. But what kind of threshold is meant by "general agreement"? Certainly not less than two thirds of the Member States. Nobody, but nobody, I believe, could argue that such a number could be no lower than 124 votes, the same number prescribed by Article 108 for resolutions amending the Charter.

Frankly, I believe that our procedural draft resolution has a great merit: it has revealed the true intentions of the great pretenders and some of their

our gratitude to Ambassador Deguène Ka, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and the other members of the Committee for their excellent report, which reflects the Committee's untiring efforts to record the destructive effects of the unjust practices and measures of the Israeli occupation on the social, economic and political situation of the Palestinian people and on the peace process in the Middle East, as well as to keep the international community informed of the basic elements of the question of Palestine and its development.

In 1947, at its second session, the General Assembly adopted resolution 181 (II), which divided Palestine into two States, one Arab and one Jewish. That resolution that was the basis of a whole series of important resolutions adopted subsequently over the course of the past 50 years, which were designed to find a solution to the question of Palestine. By way of example, I would like to mention General Assembly resolution 194 (III) of 1948, which dealt with the refugee problem, Security Council resolution 242 (1967), which requested Israel to withdraw its armed forces from occupied Palestinian and Arab territories, and resolution 338 (1973), which called for the parties to the conflict to start negotiations aimed at settling the problem and mobilized the attention of the international community. A number of other resolutions have reaffirmed the Arab character of Al-Quds al-Sharif.

We are constantly concerned by the fact that, notwithstanding all those resolutions, on the basis of which the Madrid Peace Conference was organized and other agreements have been reached between the two parties, Palestinian and Israeli, notwithstanding the tireless efforts of the United Nations and its specialized agencies and those of regional States and bodies to help the Palestinian people attain the enjoyment of their just and inalienable rights, all of those initiatives have come up against Israel's pernicious policies, namely, the expansion of settlements and inhumane repression throughout the occupied Palestinian territories.

Thus, the Palestinians continue to become displaced persons and refugees and to perish by the tens of thousands. In addition, national economic and social infrastructures have been destroyed with unprecedented criminal violations of humanitarian and moral principles and standards.

The disappointing results in the development of the question of Palestine and the complications encountered, which recently culminated in the illegal and illegitimate practices of the Israeli Government, have revealed to the entire world the true intentions of that Government, which strives to perpetuate its presence as occupying Power in the Palestinian and Arab territories by violence, hegemony and the illegal expansion of settlements and to fulfil its aggressive designs at the expense of the rights and the legitimate historical property of the Arab and Palestinian peoples.

Despite the results of the 1991 Madrid Conference, despite the 1993 Declaration of Principles and the other agreements reached between the two parties, Palestinian and Israeli, which represented a vital turning point and a propitious opportunity to arrive at a peaceful, just and lasting settlement of the Palestinian problem, and while the majority of the world's countries were rejoicing, the peace process continued to suffer setbacks because of the Israeli Government's systematic and serious violations of the obligations under those arrangements and the other agreements it had entered into under the provisions of international law, the United Nations Charter, the Fourth Geneva Convention and relevant international resolutions.

The entire world has unanimously recognized, on many occasions and in many regional and international bodies, and especially at successive meetings of the tenth emergency special session of the General Assembly, that the Israeli Government's policy of confiscating Palestinian and Arab territories as well as the building of settlements in those territories, in particular in the Holy City Al-Quds, revered by all revealed religions, constitute flagrant violations by Israel of the principle of the inadmissibility of the acquisition of territories by force. It is also a matter of vital concern because a close study of the reports and relevant international statistics reveals that the rate and expansion of those settlements and their occupation by Jewish immigrants and settlers has doubled. Further, such practices have become even more arbitrary since the Government began to deal in an irresponsible manner with the Islamic Holy Places by opening a tunnel near the Al-Aqsa Mosque in the occupied part of Al-Quds and the unprecedented establishment of a settlement at Jebel Abu Ghneim south of Al-Quds as well as in other occupied Arab and Palestinian territories.

In addition, Israel is refusing to grant resident permits to native born citizens and is confiscating their lands and natural resources by means of expulsion, violence and the falsification of Palestinian property documentation in an attempt to alter the legal status and demographic composition of that Arab and Islamic Holy

City and of other occupied Palestinian and Arab territories, imposing a policy of fait accompli that is null and void and is rejected not only by the Palestinian people but by all the world's States and peoples who want to see peace and stability prevail in our Arab region.

For the last two years, the whole world has watched the increasing insecurity and the escalation of tension, violence and mistrust in the Palestinian and Arab occupied territories. Not by chance, these developments have coincided with the intensification of Israeli actions that make crystal clear that Israel is waffling, refusing to respect its obligations and commitments, in particular those involved in furthering the redeployment of its troops from the West Bank, the implementation of its programme for releasing hundreds of Palestinian and Arab detainees and prisoners and the re-opening of the Gaza airport and port. Further, Israel is constantly delaying the final status talks, including in particular the resolution of critical questions regarding Al-Quds, the refugees, settlements and borders.

Justifying its iron-fist policies on false security pretences, Israel is tightening the noose around the occupied territories by surrounding them, by imposing blockades and collective economic and other punishments on the towns and villages and by undertaking campaigns of violence, making arbitrary arrests and assassinating innocent civilians randomly and without justification. These actions comprise a great many flagrant violations of human rights and of Israel's obligations under the 1949 Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and other instruments of international humanitarian law, and under the Madrid Peace Conference and the relevant resolutions of international legitimacy, in particular Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace.

The United Arab Emirates has always condemned all these illegal Israeli actions and their dangerous consequences. These actions have destabilized — indeed, undermined — the very foundations of the peace accords and the confidence-building measures undertaken with the Palestinian side. Therefore, we would like to reaffirm here the need for the international community — as represented by the United Nations, the two co-sponsors of the peace process and the European Union — to redouble its efforts to lead the Israeli Government to comply with the resolutions of international law.

The actions required include, in particular, the calling of an emergency meeting of the High Contracting Parties to the Fourth Geneva Convention to examine Israel's violations of its terms, as well as ways and means of convincing Israel to desist from these violations and to observe in full the just requirements for the comprehensive and final resolution of the Palestinian question. These requirements include the immediate cessation of all illegal settlement activities in Al-Quds and in all the other Arab and Palestinian occupied territories, the dismantling of all the existing settlements, progress in the meeting of Israel's obligations regarding the re-opening of the Gaza port and airport, the implementation of the plan for the redeployment of the Israeli troops from the West Bank and the immediate release of all the detainees. The Palestinian National Authority should also have the opportunity to receive financial support from the international community. It should have the power to build the Palestinian economy unhindered, and its development agencies should be allowed to carry out their work so that they can meet their responsibilities to improve the economic and social conditions of the Palestinian people.

Finally, today, when the United Nations is celebrating the International Day of Solidarity with the Palestinian People, the United Arab Emirates would like to renew its support for the Palestinian people and its leaders as they struggle for freedom. We reaffirm that a just and lasting solution to the Palestinian question requires the implementation of the essential principles embodied in the resolutions of international legitimacy along with the institution of the confidence-building measures stipulated in the peace accords. Basically, these measures comprise the immediate cessation of illegal settlement building and the dismantling of existing settlements so as to allow the Palestinian people to be free and to enjoy the rights to return to their homes, to self-determination and to the establishment of an independent State on their territory with its capital at Al-Quds. And all this should be on the basis of peace, security and sustainable development.

The Acting President: We have heard the last speaker in the debate on this item for this meeting. We shall hear the remaining speakers tomorrow, Tuesday, 2 December 1997, at 3 p.m.

The observer of Palestine has requested to make a statement in reply. I now call on him in accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): Today we had the pleasure of listening to the representative of Israel make a statement that contained so many hallucinations that we felt that he was talking about a completely different reality from the one we know, or is living in a different world: a world that has different definitions of right and justice; a world with its own special law which differs from the international law with which we are acquainted; a world in which the concept of equality among nations and peoples does not exist. Perhaps this is the world of God's chosen people. Indeed, it is not our world, the world of the ordinary peoples of Asia, Africa, South America and, perhaps, Europe — East and West.

It is difficult to believe such a level of arrogance, self-aggrandizement and disdain for the realities by which the political discourse of the present Israeli Government is characterized and of which today's statement is an excellent example.

Here, and very briefly, I wish to remind the Israeli representative of a few things in the hope that he might perceive the reality, in however limited a way. The heart of the issue is the occupation — Israel's occupation. The end of this occupation is the prerequisite for peace.

Secondly, any attempt to compare the illegal settlements in the occupied territories to the Palestinian villages and towns is not only a violation of international law, the resolutions of the Security Council and the bases of the peace process, but is in fact racist and vile. It is even more dangerous than that — it is an invitation to the Palestinian side to raise the subject of its rights in Jaffa, Haifa and other Palestinian cities.

Thirdly, talk of Israel's basic and vital needs reminds us of hateful theories that should not be recalled here. Real security can be achieved through a just peace, not through insistence on vital needs, which we entirely reject.

Fourthly, the Israeli side needs to remember that the Palestinian people is proudly equal to the Israeli people and is neither a follower nor an ethnic minority. Israel's withdrawal from the occupied territories is not a concession on its part; it is not even a choice. Mutual recognition is not something that was recognized beforehand by our side alone — it is the essence of the Declaration of Principles.

Fifthly, the Israeli representative's attempt to teach Member States how to vote is another example of objectionable arrogance. The time may have come for Israel to understand the meaning of the international unanimity vis-à-vis its illegal policies in the occupied territories.

Finally, we hope that the present Israeli Government will desist from its current approaches and policies and cease fabricating Palestinian violations of agreements in order to justify its own flagrant and continuous transgressions of these agreements. Israel should actually begin to implement the concluded agreements, which will help the peace process to move forward and guarantee the attainment of a just, lasting and comprehensive peace in the Middle East.

The meeting rose at 6.15 p.m.